



01-18-06

ITW

Attorney's Docket No.: 17601-043001/ 067083.0205

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Joseph A. Zupanick  
Serial No. : 10/630,345  
Filed : July 29, 2003  
Title : METHOD AND SYSTEM FOR ACCESSING SUBTERRANEAN  
DEPOSITS FROM THE SURFACE AND TOOLS THEREFOR

Art Unit : 3673  
Examiner : John J. Kreck

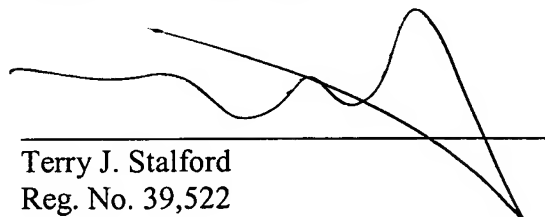
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTICE OF LITIGATION UNDER MPEP 2001.06(c)

Applicant hereby brings to the attention of the U.S. Patent and Trademark Office the existence of litigation on patents to which the above-mentioned patent application claims priority. Specifically, CNX Gas Corporation and CNX Gas Company LLC vs. CDX Gas, LLC, Civil Action No. 05-1574 has been filed in the Western District of Pennsylvania. The suit concerns U.S. Patent Nos. 6,357,523; 6,561,288; 6,604,580; 6,679,322; and 6,964,298.

No fees are believed due at this time. However, please charge any fees or credit any deposits to Deposit Account No. 06-1050 referencing the attorney docket number show above.

Respectfully submitted,



Terry J. Stalford  
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Date: Jan. 17, 2006

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